



PATENT

ATTORNEY DOCKET NO.: 051481-5105



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

**TRANSMITTAL FOR A NEWLY EXECUTED ORIGINAL APPLICATION
UNDER 37 C.F.R. 1.53(b)**

This is a request for filing a patent application under 37 C.F.R. 1.53(b) for:

Inventors: **Andre VEINOTTE and Paul PERRY**

For: **IN-USE RATE BASED CALCULATION FOR A FUEL VAPOR
PRESSURE MANAGEMENT APPARATUS**

1. This is a new ☒ **Utility** ☐ **Design** ☐ **Plant** patent application.

2. The papers enclosed to obtain a filing date are as follows:

14 Pages of Specification

0 Title Page

4 Pages of Claims

1 Page of Abstract

7 Sheets of drawings containing 7 Figures

☐ The enclosed drawing(s) are photograph(s), and there is also attached a
PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)

3. Combined Declaration and Power of Attorney

☐ Enclosed and is executed by all inventors.

☒ Not Enclosed.

This application is being filed under the provisions of 37 C.F.R. 1.53(f).
Applicant(s) await notification from the Patent and Trademark Office of the
time set for filing the Declaration and paying the filing fees.

4. Language

☒ English☐ Non-English

This application is being filed in accordance with 37 C.F.R. 1.52(d) and 608.01 of the MPEP. Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the verified English translation and the processing fee.

5. Assignment

☐ An assignment of the invention to _____ and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

☒ An assignment will be filed at a later date.

6. Priority - foreign applications under 35 U.S.C. 119(a)-(d) or 365(b) or PCT international applications under 35 U.S.C. 365(a) designating at least one country other than the U.S.

☐ Priority of the following foreign application is claimed:

Country	Application No.	Filed

Certified copy: ☐ is attached. ☐ will follow.

7. Priority based on provisional application(s) - 35 U.S.C. 119(e)

☒ Priority of the following provisional application(s) is claimed:

Application No.	Filed
60/412,578	23 September 2002

A. Relate Back - 35 U.S.C. 119(e)

☐ Amend the specification by inserting before the first line the sentence:

"This application claims priority of copending provisional application(s) No. _____ filed on _____."

8. Small entity status
☐ Small entity status under 37 C.F.R. § 1.27 asserted for the present application.

9. Fee Calculation (37 C.F.R. 1.16)

CLAIMS FOR FEE CALCULATION				
	Number Filed	Number Extra	at Rate of	Basic Fee Utility \$750.00 Design \$330.00
Total Claims (37 C.F.R. 1.16(c))	18 - 20 =	0	\$ 18.00 each=	\$ 0.00
Independent Claims (37 C.F.R. 1.16(b))	2 - 3 =	0	\$ 84.00 each=	\$ 0.00
Multiple dependent claim(s), if any (37 C.F.R. 1.16(d))			\$280.00	\$ 0.00
SUB-TOTAL =				\$ 750.00
Reduction by 1/2 for filing by a small entity				\$ 0.00
TOTAL FILING FEE =				\$ 750.00

10. Fee Payment

☒ Not Enclosed. **NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.**

This application is being filed under the provisions of 37 C.F.R. 1.53(f).
 Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

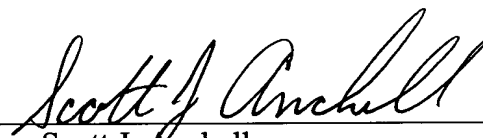
☐ Enclosed.
 Two checks in the amounts of \$_____ and \$40.00 representing the basic filing fee of \$710.00 and an assignment recording fee of \$40.00 is/are enclosed.

11. ☐ **Except** for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. 1.136(a)(3).
12. Additional papers enclosed:
- ☐ Preliminary Amendment
 - ☐ Information Disclosure Statement
 - ☐ Form PTO-1449, ___ documents included
 - ☐ Declaration of Biological Deposit
 - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
 - ☒ Nonpublication Request Under 35 U.S.C. § 122(b)(2)(B)(i).

Please accord this application an application number and filing date.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: 
Scott J. Anchell
Reg. No. 35,035

Dated: 23 September 2003

CUSTOMER NO. 009629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, NW
Washington, DC 20004
Tel: 202.739.3000

SJA/fdb

**NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor

Andre VEINOTTE, et al.

Title

In-Use Rate Based Calculation for a
Fuel Vapor Pressure Management Apparatus

Attorney Docket Number

051481-5105

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

23 September 2003

Date


Signature

(202) 739-3000

Telephone number

Scott J. Anchell

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.